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REMARKS

In response to the Office Action mailed on April 19, 2007, Applicant(s) respectfully request(s) reconsideration.

Claims 1-47 are now pending in this Application.

In this Amendment, 1, 3-4, 8-9, 22, 31, 36, 41 and 45-47 have been amended and claim(s) been cancelled.

Claims, 1, 22, 31, 36, 41 and 45-47 are independent claims and the remaining claims are dependent claims. Applicant(s) believe that the claim(s) as presented are in condition for allowance. A notice to this affect is respectfully requested.

The Office Action rejects claim 1 under 35 U.S.C. §112. Applicant thanks the Examiner for this observation. In response, claim 1 has been herein amended to recite that each channel includes a plurality of content items, a management server and a group of content servers, at least one channel including items to be served from at least one content server in the group of content servers, as disclosed at page 3, lines 24-26, to further clarify the noted inconsistencies. Claim 22 has been similarly amended.

The Office Action rejects claims 1-47 under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2004/0010544 to Slater, et al. (Slater '544). Applicant(s) respectfully disagree(s) with these contentions and assert that the present claimed invention is not anticipated by any disclosure in the Slater '544 references.

In particular, claim 1 is rejected based on the suggestion that Slater teaches the claimed step of **reporting, for each of a plurality of content servers in the channel, an indication of event completion via a threshold event number, the threshold number corresponding to a point of progression in the incrementing event numbers**, as recited in claim 1. The claimed progression threshold however, is distinguishable from Slater '544 because the progression threshold refers to a point along a continuum of file

replication (i.e. an aggregation toward a finite sum), not a ongoing data rate as disclosed in Slater '544. In other words, the claimed progression threshold indicates how many of the total number of replication files have been transmitted, not how fast they are being transmitted.

Accordingly, Claim 1 has been herein amended with the subject matter of claims 5 and 8 to recite that the change events further comprise ordering categories, each of the change events corresponding to one of a plurality of ordering categories, the ordering categories indicative of an alternate ordering criteria, and that the channel description is maintained as status information in the content servers, the status information including the progression threshold within each of the ordering categories, wherein the replication status report omits transmitting cumulative, file specific information deterministic from the progression threshold, as disclosed at page 7, lines 14-18 and at page 26, lines 11-16, to clarify these claimed distinctions. The Office Action suggests, however, that Slater teaches the subject matter of claims 3 and 7 at paragraphs [0190], [0301-0304] and [0109-0111].

The Slater '544 threshold, however, discussed at paragraph [0109], refers to a data rate of network traffic, not a completed progression toward a finite threshold or quantity, as the claimed progression threshold fulfils. Since the rate is a time dependent quantity, and the claimed progression threshold refers to the relative completion without respect to time, these two statistics refer to different units of measurement. Therefore, the Slater rate threshold is not shown, taught, or disclosed by the progression threshold because the progression threshold is not concerned with the rate at which the files are replicated, only the point in the progression. Accordingly, Slater does not show, teach or disclose that the channel description is maintained as status information in the content servers, the status information including the progression threshold within each of the ordering categories, wherein the replication status report omits transmitting cumulative, file specific information deterministic from the progression threshold as now recited in claim 1. The progression threshold thus avoids voluminous file

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lists inclusive of previously transmitted (i.e. cumulative) file names/identifiers. Further, Slater '544 makes no showing, teaching or suggestion of the claimed ordering categories which subdivide the files in a channel into ordering categories according to priority groups and origin servers from which the files emanate, as discussed further at page 13, lines 10-15.

Further, independent claims 22, 32, 36, 41, 45, 46 and 47, rejected on similar reasoning, have been likewise amended.

As the remaining claims depend from, either directly or indirectly, from claims 1, 22, 31, 36 and 41, it is respectfully submitted that all claims in the case are now in condition for allowance.

Applicant(s) hereby petition(s) for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

/CJL/

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